

**CITY OF MILPITAS
APPROVED**

PLANNING COMMISSION MINUTES

June 22, 2005

**I.
PLEDGE OF
ALLEGIANCE**

Chair Lalwani called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Azevedo, Galang, Garcia, Lalwani, Mandal, Mohsin and Williams
Absent: None
Staff: Carrington, Fujimoto, Heyden and Rodriguez

**III
PUBLIC FORUM**

Chair Lalwani invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

**IV.
APPROVAL OF MINUTES
June 8, 2005**

Chair Lalwani called for approval of the minutes of the Planning Commission meeting of June 8, 2005.

Staff noted that on page two, Commissioner Galang abstained from voting on Agenda Item No. 4 under the consent calendar.

Motion to approve the minutes with the corrections noted above.

M/S: Mohsin/Mandal

AYES: 7

NOES: 0

**V.
ANNOUNCEMENTS**

Staff noted that the rotation for the next Planning Commission Subcommittee is regular members Commissioner Williams and Mandal and alternate member Commissioner Azevedo for the periods July through September.

Staff also noted that under the previous open government ordinance there was a requirement that the Commission turn in a monthly calendar indicating any contacts they have had with applicants and lobbyists. Under the new open government ordinance that requirement was eliminated for the Planning Commission and only applies to the City Council. Staff will have a regular training session sometime in July at a regular Council meeting to let the Commission know their responsibilities under the new ordinance.

Chair Lalwani reminded that Relay for Life would take place this Friday at 6:00 p.m. at the Milpitas Sports Center, which is a fundraiser for the American Cancer Society.

**VI.
CONFLICT
OF INTEREST**

Chair Lalwani asked if the Commission has any conflict of interest on tonight's agenda.

There were no Commissioners that identified a conflict of interest.

**VII.
APPROVAL OF
AGENDA**

Chair Lalwani called for approval of the agenda.

There were no changes from staff.

Motion to approve the agenda.

**VIII.
CONSENT CALENDAR
Consent Item No. 2**

M/S: Galang/Mandal

AYES: 7

NOES: 0

Chair Lalwani asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

Staff had no changes.

Chair Lalwani opened the public hearing on Item No. 2.

There were no speakers from the audience.

Motion to close the public hearing on Consent Item No. 2.

M/S: Mohsin/Mandal

AYES: 7

NOES: 0

Motion to approve the Consent Calendar on Consent Item No. 2.

M/S: Williams/Azevedo

AYES: 7

NOES: 0

***2 USE PERMIT AMENDMENT NO. UA2005-7 AND S-ZONE APPROVAL AMENDMENT NO. SA2005-36:** A request to replace an existing monument sign with an 8' double-faced non-illuminated monument sign for the Calaveras Park Professional Center located at 450-470 E. Calaveras Boulevard.

IX. PUBLIC HEARING

**1. S-ZONE APPROVAL
AMENDMENT NO.
SA2005-38, USE PERMIT
AMENDMENT NO.
UA2005-8 AND
VARIANCE NO. VA2005-1
- SIGN PROGRAM
AMENDMENT & NEW
ENTRY WORK**

Troy Fujimoto, Assistant Planner, presented a request to amend the existing sign program at the Great Mall Shopping Center, including new colors and theme, a variance to directional sign size limitations, and a request for new and modified mall entrance elements at the Great Mall Shopping Center at 1100 South Main Street and recommended approval with conditions.

Commissioner Williams asked if the existing electronic signs will be part of the new sign program. Mr. Fujimoto replied that the existing electronic signs are proposed to be removed and staff has conditioned the project to incorporate some type of indicator on the proposed signage to notify patrons about parking in the parking structure and how much parking spaces are available during the holiday season.

Commissioner Williams asked if Great Mall's exterior and freeway sign would change to match the proposed color scheme of the new sign program. Mr. Fujimoto deferred the question to the applicant.

Commissioner Williams asked about advertising and Mr. Fujimoto said staff is recommending that advertising not be part of the approval because if it was allowed it would be considered a freestanding sign on top of the parking lot poles and the Mall does not have enough frontage to accommodate the freestanding signs.

Vice Chair Garcia asked what is the rationale for the removal of the electronic signs because he thought they were handy and at a good location. Mr. Fujimoto said that the electronic signs are at three of the entrances and the Mall wants to have consistency at each entrance to the site and currently the other two entrances do not have electrical connections and it is their decision that running electricity to the other sites would not make sense.

Vice Chair Garcia asked if the large signs on I-680 and I-880 would be redone to match the new scheme for the Mall. Mr. Fujimoto deferred the question to the applicant.

Vice Chair Garcia asked if the new signs would be visible at night. Mr. Fujimoto said that the elevator tower sign is not lit, but is lit from the Mall roof. He also explained that none of the lighting will change and the directional signs at the entrance are not illuminated and will rely on the lighting from the parking lot. As far as visibility goes, he felt that with the blue background contrasting with the letters on the signs should be cleaner and easier to read.

Commissioner Williams noted that the panel on the tower has 1 inch perforated holes, which makes it easier for birds to roost and asked if the Mall has a maintenance program in place. Mr. Fujimoto deferred the question to the applicant.

Michael McGee, 6489 South Yukon Street, Littleton, Colorado, Sr. Project Manager with the Mills Corporation, noted that the Mills Corporation entertained the idea to upgrade the freeway signs but there were prohibitions in terms of the latitude that the Mall can do with the improvements. He noted that the Mall is planning a phase two which will include upgrading the appearance of the exterior of the Great Mall, upgrading the entertainment area that is located between the existing cinema, opening up the food court and straightening the cut through that gets you from one side of the Mall to the other.

Commissioner Mandal noted that he likes Disneyland because it is very clean and asked why the Mall's maintenance service does not pick up spills or trash. Mr. McGee noted that when there are security issues or cleaning issues due to spills one of the first thing that is necessary is to understand that something has happened. He explained that the Great Mall's closed circuit TV system and security camera system is failing and not giving the accurate information that is needed. The whole security system will be replaced with a more sophisticated system both inside the building and outside the building which will have a lot more monitors inside the Mall and can be remote control with an emphasis on trying to improve the security coverage especially along the cinema area.

Commissioner Williams asked what are the Mall plans about maintaining the tower sign where it has the potentials of nesting and neglect, which is clearly visible to the public. Mr. McGee noted that bird nesting was clearly acknowledged in the existing entry feature so the new entry features that are being installed will eliminate the problem because they will be closed on every side. He noted that he would look into solutions for the bird-nesting problem in the tower.

Commissioner Williams noted that at entrance five, the Media Play entrance, there is a skylight opening and that is where customers come into close visualization of the tower when looking up.

Vice Chair Garcia asked Mr. McGee to comment on why the Mall wants to remove the electronic signs. Mr. McGee noted that when the Mall started to focus on the utility distribution controls that are available at the entry's that don't have these signs, it actually became very destructive to the existing site in terms of hardscape and the paved areas to try and access the locations with both power and control. He assured Vice Chair Garcia that during the redesign of the signs the Mall will look at other ways to provide the information, which is also part of staff's conditions.

Vice Chair Garcia noted that the staff report states that the Mall would be looking at signs on wheels. Mr. McGee said he is not familiar with that solution and that was discussed between Mr. Fujimoto and Vice President Brad Kempf. Mr. Fujimoto clarified that the Mall originally proposed the signs on wheels however they decided to have a more permanent sign.

Chair Lalwani opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Williams/Azevedo

AYES: 7

NOES: 0

Motion to approve S-Zone Approval Amendment No. SA2005-38, Use Permit Amendment No. UA2005-8 and Variance No. VA2005-1 - Sign Program Amendment & New Entry work with the special conditions and recommendations noted in the staff report.

M/S: Williams/Azevedo

Vice Chair Garcia asked staff if it is appropriate to condition the applicant to come back within a year to propose a plan to modify the I-680 and I-880 freeway sign structures and also with the electronic signs, to have them come back with something more specific.

Tambri Heyden, Acting Planning and Neighborhood Services Director, replied that the freeway signs require Caltrans approval, which could be a very difficult and lengthy process. In speaking with Brad Kempf, she knows that the Mall has plans to update the structures and there are also other plans in process that may motivate the freeway signs to be updated so she felt that this would happen on its own. She assured the Commission that they can feel comfortable that it will happen rather than tying the hands of the applicant to do the changes right away. The Mall inherited the signs from Swerdlow and is spending millions to update the property and they have the best interests of the City at heart by improving the look and changing the tenants. She also suggested that it would be a good idea that when Brad Kempf is in town, he can update the Commission on the Mall's five-year master plan.

Commissioner Williams commented that the freeway signs are separate beasts and with Caltrans, it adds more issues to the problems and felt that the Mall's heart is in the right direction. In reference to the electronic signs, he felt that they do serve a purpose and if the Mall is going to do for one then it should do for all, but it's better to not have at all in his perspective. He felt that the Mall recognizes the Commission's concerns and that they may come back with something even better.

Commissioner Mandal also felt that the new management is moving in the right direction and would rather have this phase be implemented according to schedule. He also agreed with staff's suggestion that when Mr. Kempf is in town, he could talk to the Commission about the Mall's five year master plan.

Motion to approve S-Zone Approval Amendment No. SA2005-38, Use Permit Amendment No. UA2005-8 and Variance No. VA2005-1 - Sign Program Amendment & New Entry work with the special conditions and recommendations noted in the staff report.

M/S: Williams/Azevedo

AYES: 7

NOES: 0

**X.
ADJOURNMENT**

The meeting was adjourned at 7:42 p.m. to the next regular meeting of July 13, 2005.

Respectfully Submitted,

Tambri Heyden
Acting Planning and Neighborhood
Services Director

Veronica Rodriguez
Recording Secretary